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EXAMINER
LE, LANA N

ART UNIT	PAPER NUMBER
2685	

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/851,303	SHIBUYA, ATSUSHI
	Examiner	**Art Unit**	
	Lana N Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _09 February 2005_.

2a) ☒ This action is **FINAL**.　　　2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-19_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) _17_ is/are allowed.

6) ☒ Claim(s) _1-16,18 and 19_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☒ All　b) ☐ Some * c) ☐ None of:

　　　1. ☒ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _10/07/03_

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

In response to applicant's argument that the cited reference, Shin et al is

nonanalogous art, it has been held that a prior art reference must either be in the field of

applicant's endeavor or, if not, then be reasonably pertinent to the particular problem

with which the applicant was concerned, in order to be relied upon as a basis for

rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443

(Fed. Cir. 1992). In this case, when the user enters a specific character string, the

keyword is extracted from the display screen, the word is received and extracted from

the keyword memory table of the mobile apparatus and a function is called when the

control unit of the mobile apparatus recognizes the keyword as one of the keywords in

the memory.

Applicant argue the cited combined references of the dependent claims 2-8, do

not disclose or suggest the same limitation from independent claim 1, "means for

extracting the keyword …. calling the function associated with the extracted key word".

However, this is explained above that the main reference, Shin et al, discloses this

limitation and therefore, applicant's arguments filed 02/09/05 have been fully considered

but they are not persuasive.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1.   Claims 1-2, 5-8 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated

by Shin et al (US 6,269,260).

Regarding claim 1, Shin et al discloses a method of calling a function by keyword

detection in a portable communication terminal apparatus comprising the steps of:

registering a function provided for the portable communication terminal

apparatus in association with a predetermined word (col 3, line 64 - col 4, line 44; figs.

3a-3b), and when the registered keyword (character codes, i.e. the word "MAIL" that

were stored that represents a function, col 5, lines 42-45) is extracted from received

character data displayed on a display screen (display 30, the subroutine of the

character recognition mode wherein the character data input is received from touch screen 40 to be displayed at 30 via CPU 10 at col 5, lines 44-45, col 3, lines 22-23 or character data input can be displayed from user input at key input unit 20, see col 3, lines 57-59) of the portable communication terminal apparatus (mobile telephone), calling and executing the function registered in the portable communication terminal apparatus in association with the extracted keyword (col 5, lines 42-45, i.e. calling the registered message read function that is associated with keyword "MAIL").

Regarding claim 2, Shin et al disclose a method according to claim 1, wherein the extracted keyword (character code) is inverted (the keyword is inverted to a message to be read when the function has been executed; col 5, lines 11-18, lines 31-35, lines 54-62).

Regarding claim 5, Shin et al discloses a method according to claim 1, wherein the function comprises a function of registering display character data following the extracted keyword (character codes inputted by user at key input unit 20 are displayed, col 3, lines 57-59, col 5, lines 42-45) in a built-in memory (function character storage 70, col 4, line 66 - col 5, line 3).

Regarding claim 6, Shin et al discloses a method according to claim 2, wherein the function comprises a function of registering display character data following the extracted keyword (character codes inputted by user at key input unit 20 are displayed, col 3, lines 57-59, col 5, lines 42-45) in a built-in memory (function character storage 70, col 4, line 66 - col 5, line 3).

Regarding claim 7, Shin et al disclose a method according to claim 1, wherein

the function comprises a function of replacing the extracted keyword with another

character (i.e. in the phone book function of Shin et al; col 3, lines 44-49, when the user

inputs a pre-registered keyword, i.e. telephone directory according to user's preference,

in the character code storage area of figure 5, the keyword will enter the "phone book

function mode" pre-registered in the function storage area; col 4, line 66 - col 5, line 3,

and performs the function, col 5, lines 39-42, by replacing the keyword with another

character which is a list of telephone numbers and their associated names, col 3, lines

45-50).

Regarding claim 8, Shin et al disclose a method according to claim 2, wherein

the function comprises a function of replacing the extracted keyword with another

character or an illustration (i.e. in the phone book function of Shin et al; col 3, lines 44-

49, when the user inputs a pre-registered keyword, i.e. "phone directory" according to

user's preference, in the character code storage area of figure 5, the keyword will enter

the "phone book function" mode pre-registered in the function storage area; col 4, line

66 - col 5, line 3, and performs the function, col 5, lines 39-42, by replacing the keyword

with another character which is a list of telephone numbers and their associated names,

col 3, lines 45-50).

Regarding claim 20, Shin et al disclose the method of claim 1, wherein the

extracted keyword is displayed (keyword inputted through key input unit 20; col 3, lines

57-59).

9.   Claims 9-12, 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Shin et al (US 6,269,260) in view of Soini et al (US 6,445,932).

Regarding claim 9, Shin et al disclose a portable communication terminal

apparatus (fig. 1 and hereafter; col 2, lines 41-43) comprising a CPU (CPU 10)

controlling a function provided for the portable communication terminal apparatus (fig.

1), a storage section including a ROM (EEPROM within memory 60) used as an area

in which a program (subroutine) for operating the CPU (10) is stored (col 3, lines 40-

42) and a RAM (RAM within memory 60) used as an area for temporarily storing data

during operation of the CPU (col 3, lines 25-28) and retaining data registered by the

user (col 3, lines 28-29) a display section (30) used to display a character the display

section under the control of the CPU (10),

a ten-key pad operating section (20) for allowing the user to perform key input

operation (col 3, lines 57-59), and a button control section (40) used to transfer data key

input by the user to the CPU (10) wherein an operation of executing the function are

registered is stored in the RAM of the storage section (col 3, lines 26-28), and

the CPU (10) comprises means for looking up the keyword table, means for

extracting the keyword from received character data displayed on the display section

and displaying the keyword in a recognizable form (col 3, lines 57-65), and means for

calling the function associated with the extracted keyword and controlling execution of

the function when a function execution instruction (commands for entering the

corresponding function modes) is received from the button control section (col 3, lines

33-50).

Shin et al do not explicitly disclose: the display section displays a graphic pattern and

wherein a keyword table in which the function associated with a predetermined word (keyword) is stored in the RAM.

Soini et al disclose a display section for displaying graphic pattern (col 3, line 66-col 4, line 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made for the display of a radiotelephone to display graphics in the LCD of Shin et al in order to provide a graphics display so that the user can view image data as well as text as is well known in the integration of mobile phone with information technologies. Even though Shin do not disclose: the keyword table in which the function associated with a predetermined word (keyword) is stored in the RAM but rather a separate memory 70 connected to the RAM within 60.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate the memory 60 and storage 70 into one memory since they both serve to store information.

Regarding claim 10, Shin et al and Soini et al disclose an apparatus according to claim 9, wherein Shin et al disclose the apparatus comprising the keyword table (char code storage area; see figure 5) stored in memory (70) which is connected with RAM of memory 60 which temporarily stores character codes. Shin et al does not explicitly disclose: the memory (70) is a volatile memory where it is configured such that a registered content can be changed or a content can be added. However, it is well known that since a user can program a character code word with a chosen function and store it, it is obvious that the user can alter this program based on the user's preference to reprogram a registered function by changing the registered character code with a

new character code chosen by the user, i.e. a character code which might be easier to

remember, or to program and register another character code in addition to those

examples shown by adding to the memory content (figure 5; col 5, lines 42-45).

Regarding claim 11, Shin et al and Soini et al disclose the apparatus according to

claim 9, wherein Shin et al disclose the apparatus further comprising means for

inverting the extracted keyword as means for displaying a keyword in a

recognizable form (the keyword is inverted to a message to be read when the function

has been executed; col 5, lines 11-18, lines 31-35, lines 54-62).

Regarding claim 12, Shin et al disclose an apparatus according to claim 10,

wherein Shin et al disclose the apparatus further comprising means for

inverting the extracted keyword as means for displaying a keyword in a

recognizable form (the keyword is inverted to a message to be read when the function

has been executed; col 5, lines 11-18, lines 31-35, lines 54-62).

Regarding claim 14, Shin et al and Soini et al disclose an apparatus according to

claim 9, wherein Shin et al disclose the apparatus wherein the CPU comprises a

function of registering displayed character data (register the character code) following

the extracted keyword in a built-in memory (char code storage area 70) upon reception

of a function execution instruction (commands for entering function mode) from the

button control section 40 (col 3, lines 40-42).

Regarding claim 15, Shin et al and Soini et al disclose an apparatus according to

claim 9, wherein Shin et al disclose the apparatus the CPU comprises a function of

replacing the extracted keyword (i.e. char code "phone directory" programmed by the

user) with another character (list of telephone numbers representing another character) or an illustration and displaying the character or illustration upon reception of a function execution instruction (commands for entering function mode associated with the function character, col 3, lines 40-42) from the button control section 40 (i.e. in the phone book function of Shin et al; col 3, lines 44-49, when the user inputs a pre-registered keyword, i.e. "telephone directory" according to user's preference, in the character code storage area of figure 5, the keyword will enter the telephone book function" mode pre-registered in the function storage area; col 4, line 66 - col 5, line 3,. and performs the function, col 5, lines 39-42., by replacing the keyword with another character which is a list of telephone numbers and their associated, names; col 3, lines 45-50).

Regarding claim 16, Shin et al and Soini et al disclose an apparatus according to claim 10, wherein Shin et al disclose the CPU (10) comprises a function of replacing the extracted keyword with another character or an illustration and displaying the character or illustration upon reception of a function execution instruction from the button control section (i.e. in the phone book function of Shin et al; col 3, lines 44-49, when the user inputs a pre-registered keyword, i.e. phone directory according to user's preference, in the character code storage area of figure 5, the keyword will enter the phone book function mode pre-registered in the function storage area; col 4, line 66 - col 5, line 3, and performs the function, col 5, lines 39-42, by replacing the keyword with another character which is a list of telephone numbers and their associated names; col 3, lines 45-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin

et al (US 6,269,260) in view of Hoshino (US 6,285,891).

Regarding claim 3, Shin et al disclose a method according to claim 1, wherein

Shin et al disclose examples of a variety of phone functions (col 3, lines 42-45).

Shin et al don't further disclose:

the function comprises a function selected from a melody playback function,

sound effect function, voice function, display light blinking function, backlight blinking

function, and vibration motor control function or a combination thereof.

Hoshino discloses the function comprises a function selected via a single selection

button (col 14, lines 25-37) from a sound effect function (key confirming call volume),

voice function (received voice volume), and vibration motor control function (incoming

call vibration) or a combination thereof (col 5, lines 33-35). It would have been obvious

to one of ordinary skill in the art at the time the invention was made for the user to

program a chosen character code with one of these functions, i.e. 011 ringer volume, for

the user to set the ringer volume level selected from a plurality of functions in order to

key in the character code and then set it after the sample ring sound is called out,

instead of having to manipulate through all the menu buttons to find the padicular

function.

Shin et al and Hoshino don't specifically disclose a melody playback function, display

light blinking function, backlight blinking function.

However, as Shin et al only lists some examples of common phone functions, see col 3,

lines 42-45, and a melody playback function, display light blinking function, backlight

blinking function are notoriously common and well known phone functions. It would

have been obvious to one of ordinary skill in the ad at the time the invention was made

to include these common phone functions in the selected functions of Shin et al and

Hoshino in order to allow the phone's user to choose the preferred function he/she

wants from a more variety of phone functions to register a character code with.

Regarding claim 4, Shin et al disclose a method according to claim 2, wherein

Shin et al disclose examples of a plurality of phone functions (col 3, lines 42-45).

Shin et al don't further disclose:

the function comprises a function selected from a melody playback function,

sound effect function, voice function, display light blinking function, backlight blinking

function, and vibration motor control function or a combination thereof.

Hoshino et al disclose the function comprises a function selected via a single selection

button (col 14, lines 25-37) from a sound effect function (key confirming call volume),

voice function (received voice volume), and vibration motor control function (incoming

call vibration) or a combination thereof (col 5, lines 33-35).

Shin et al and Hoshino et al don't specifically disclose:

a melody playback function, display light blinking function, backlight blinking function.

However, as Shin et al only lists some examples of common phone functions, see col 3,

lines 42-45, and a melody playback function, display light blinking function, backlight

blinking function are notoriously well known phone functions. It would have been

obvious to one of ordinary skill in the ad at the time the invention was made to include

these common phone functions in the selected functions of Shin et al in order to allow

the phone's user to choose the function he/she wants to register a character code with.

12.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et

al (US 6,269,260) in view of Soini et al (US 6,640,1 13) and further in view of

Jahagirdar et al (US 6,304,763).

Regarding claim 13, Shin et al and Soini et al disclose an apparatus according to

claim 9, wherein Shin et al disclose the mobile telephone apparatus inherently

comprises an output section (speaker in a dual tone multi frequency part not depicted)

used to output an audio signal (col 2, lines 40-45).

Shin et al and Soini et al do not further disclose:

a backlight used to illuminate the display section, a display light ON/OFF

controlled by the CPU, and a vibration motor which is ON/OFF-controlled by the CPU to

generate vibrations to be felt by a user.

Jahagirdar et al disclose:

a backlight (522) used to illuminate the display section, a display light ON/OFF

(LED display) controlled by the CPU 504 (col 4, lines 3641), and a vibration motor 511

which is ON/OFF-controlled by the CPU 504 to generate vibrations to be felt by a user

(fig. 5); the CPU (controller 504, fig. 5) comprises means (inherent within controller 504)

for controlling one operation selected from melody playback, sound-effect operation,

voice outputting operation by the sound output section (116), blinking of the display

light, blinking of the backlight, control of the vibration motor 511 or a combination

thereof (controller to 511).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have a backlight and the controller controlling one operation selected from

voice, sound, etc. in order to have a control for controlling output of one of the functions

selected.

13. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et

al (US 6,269,260).

Regarding claim 19, Shin et al and Shim et al disclose an apparatus according to

claim 9, further comprising means for receiving the keyword table (receiving the

character storage table 70 as in figure 5; col 5, lines 31-53) stored in the storage

section, and means for storing the keyword in the storage section from a temporary

buffer to the permanent memory 70 for the keyword table storage (col 5, lines 31-53).

Allowable Subject Matter

14.   Claim 18 is objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten to overcome the claim objection in independent form

including all of the limitations of the base claim and any intervening claims.

Regarding claim 18, Shin et al disclose an apparatus according to claim 16,

wherein Shin et al and the cited prior art fail to further disclose the CPU comprises a

function of replacing the character or illustration with the original keyword and display

the keyword upon reception of a function execution instruction from the button control

section.

15.   The following is an examiner's statement of reasons for allowance:

Regarding claim 17, it is allowable for the same reason as set forth in the

allowable subject matter of claim 17 in the previous office action, filed 11/17/04, with the

claim made in independent form including all of the limitations of the base claim and any

intervening claims.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lana N Le whose telephone number is (703) 308-5836.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward F Urban can be reached on (703) 305-4385. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Lana Le

June 27, 2005